



*United States Attorney
Southern District of New York*

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May 30, 2025

VIA ECF

The Honorable Ona T. Wang
United States Magistrate Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, NY 10007

Re: *New York Legal Assistance Grp. v. Soc. Sec. Admin.*, 23 Civ. 9363 (ALC) (OTW)

Dear Judge Wang:

This Office represents the Social Security Administration (the “SSA”) in the above-captioned action brought by plaintiff New York Legal Assistance Group (“NYLAG”) pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”), and the Administrative Procedure Act, 5 U.S.C. § 702 (“APA”). I write respectfully on behalf of both parties, pursuant to the Court’s May 1, 2025 order directing the parties to provide a status letter by May 30, 2025. (ECF No. 59).

As background, as noted in the parties’ April 30, 2025 status letter, on March 13, 2025, NYLAG made a settlement demand concerning Claim Five of its Amended Complaint (the “Proactive Disclosure Claim”). (ECF No. 18 at 43). The SSA made a counterproposal on April 28, 2025. The parties met-and-conferred to discuss the counterproposal on April 29, 2025.

Since that time, the parties have continued to discuss the SSA’s counter-proposal. On May 16, 2025, NYLAG drafted a proposed stipulation of settlement concerning the Proactive Disclosure Claim. The SSA anticipates responding to the proposed stipulation of settlement by June 6, 2025. While the parties are still negotiating the settlement, they believe they have made progress towards reaching an agreement and that additional time will allow them to continue to make progress.

Accordingly, at this time, the parties are not prepared to request a briefing schedule on the Proactive Disclosure Claim or any other claim. The parties respectfully request leave to file another status letter with the Court on or before June 30, 2025.

Respectfully,

JAY CLAYTON
United States Attorney for the
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